

MINUTE ORDER

CASE NUMBER: CIVIL NO. 19-00417-LEK-WRP

CASE NAME: Alfred Spinney Keliihuluhulu: Kanaka-Maoli Hawaiian vs.
Norman A. Keanaaina et al.,

JUDGE: Leslie E. Kobayashi

DATE: 11/21/2019

COURT ACTION: EO: COURT ORDER DENYING PLAINTIFF'S REQUEST FOR A
RULE 55(A)(1) JUDGMENT BY DEFAULT AND DIRECTING THE CLERK'S
OFFICE TO CLOSE THIS CASE

On August 5, 2019, pro se Plaintiff Alfred Spinney Keliihuluhulu ("Plaintiff") filed his "First Amended Complaint and Emergency Ex-Parte Request for Injunction Enjoining Defendants Wrongdoers from Entering upon the Easement of Royal Patent Grant 990 to Kapaiki." [Dkt. no. 5.] This document was construed as both Plaintiff's operative pleading ("Amended Complaint") and a motion for a temporary restraining order ("TRO Motion"). On September 17, 2019, an order was issued dismissing the Amended Complaint without prejudice and denying the TRO Motion without prejudice ("9/17/19 Order"). [Dkt. no. 34.] Plaintiff had until October 17, 2019 to file a second amended complaint. [9/17/19 Order at 15-16.]

Because Plaintiff did not file a second amended complaint, on October 25, 2019, an order was issued dismissing the case with prejudice ("10/25/19 Order"). [Dkt. no. 60.] The Clerk's Office was directed to close the case on November 15, 2019, unless Plaintiff filed a timely motion for reconsideration of the 10/25/19 Order. [10/25/19 Order at 3.]

Plaintiff did not file a motion for reconsideration of the 10/25/19 Order. Instead, on November 12, 2019, Plaintiff filed a Request for a Rule 55(a)(1) Judgment by Default ("Request"). [Dkt. no. 68.] Plaintiff's Request, which seeks a Fed. R. Civ. P. 55(a) entry of default, is HEREBY DENIED because the claims in Plaintiff's Amended Complaint have already been dismissed with prejudice. In other words, Plaintiff has no remaining claims in this case. In light of the denial of the Request, Plaintiff's proposed order granting the Request, [dkt. no. 69,] is REJECTED.

There being no remaining claims nor other matters in this case, the Clerk's Office is DIRECTED to close the case immediately, pursuant to the 10/25/19 Order.

IT IS SO ORDERED.

Submitted by: Agalelei Elkington, Courtroom Manager